

Minutes of the Waukesha County Criminal Justice Collaborating Council
Wednesday, June 25, 2008

The meeting was called to order at 8:36 a.m.

Present: Carolyn Evenson, Peter Schuler, Larry Nelson, Dan Trawicki, Sam Benedict, Marcia Jante, Susan Dreyfus, Dan Vrakas, Jim Dwyer, Karl Held, Police Chief Paul Gielser. **Absent:** Judge Mac Davis, Larry Nelson, Brad Schimel.

Also present: Mike Giese, Janet Wimmer, Holly Patzer, Claire Daniels, Windy Jicha.

Approve Minutes of May 28, 2008 Meeting

The minutes of May 28, 2008 were approved with unanimous consent.

Public Comment

Trawicki apprised the committee of changes to visitation in the jail and transports.

Update on Data Needs for Program Evaluation

Schuler said Gibson has been working with a group to evaluate program outcome measures and plans to release a report of his findings. Gibson wrote a short summary of the work he's contracted to complete for Waukesha County which will be discussed at the next CJCC Executive Committee meeting.

Update on Recruitment Process of CJCC Coordinator

Dwyer said three committees and the County Board approved the ordinance for the CJCC Coordinator. As soon as Vrakas signs the ordinance, Zastrow will begin posting ads.

Schuler said after the advertisement is reviewed, it will be posted in a variety of places for three weeks. He thinks the new person would start near the end of August. Dwyer said the earlier we advertise the better.

Update and Discussion on 2009 CJCC Budget

Schuler said the operating budget is being worked on. The purchase of services budget is complete with no major changes. A few revenue sources are in question. It was learned Monday that our \$25K Homeless Grant will end on October 31. This is a very valuable program with a low rate of recidivism. The loss of funds would result in the loss of the half-time staff person in the jail who works with prisoners before they are released. The worker in the field will have to meet with individuals in the jail thus lessening field casework. We would also have to shore up and adjust costs in the Community Transition Program. Waukesha County was the only county getting this grant. The funding had originally been part of an IV drug allocation which later went to counties with meth issues. The state is working on other funding options. The county is still waiting for word regarding requirements pending the discontinuation of federal funding for treatment courts. The coordinator needs to send in a request to extend existing grant money into 2009 and then have funds carried over to the next budget to use all of the grant money. Evaluations are part of the grant process so we are trying to find out if we need to continue evaluating the program until money runs out. There is no money to do the evaluations through 2009 unless the 2009 budget can provide necessary funds. Another way to evaluate the program needs to be found. The department received its budget target which includes base funding to help fund the Alcohol Treatment Court.

June 25, 2008

Evenson said once we get the report and information from Matt Hiller we should be able to build a reporting mechanism internally.

Dreyfus asked what are the implications of legislators passing laws to make OWIs felonies. Evenson said she doesn't know if we'll have money for the courts to function at the current level in 2009. Schuler said there is no money for second time OWI offenders. It would more than double the current court caseload. Dwyer said district attorney and judges estimate such a legislative change would require two to three more prosecutors and two to three judges per county to handle the case load. There have been some estimates. If the state makes those changes in the law then the state needs to provide funding. Evenson said there are also staffing needs to take into account.

Schuler said the CJCC Executive Committee discussed such budget issues as strategic planning, state and federal conferences (registration and travel), technology needs, etc. Staff should be finished with the budget by July 14 so Schuler can start presenting the budget to the HHS board on July 21. He could delay the presentation of the CJCC budget if needed.

Evenson asked is the CJCC budget being treated separately from the HHS budget. Schuler said yes. There is no interchange of funds between budgets. Dwyer asked would the council like to see the budget before it is finalized and be part of the process. The timing is difficult.

Dwyer said when the CJCC started we didn't want to build a new jail. The budget is a matter of where will we spend the money? Do we build jails or have programs. In the end it's all about money. What happens when the public says they don't want to spend money on more jails?

Discuss WCS Proposal on Use of SCRAM Alcohol Monitoring Device

Patzer said the county requested a proposal from WCS to see how much it would cost to increase the use of SCRAM to other programs as an alternative to incarceration, for supervision and as a behavior modification tool. The total cost is very expensive because the proposal encompasses such a large number of people.

Vrakas said who pays for the program is a policy decision. He wants the offender to pay pretrial plus a program fee. He's tired of Waukesha County paying for it. The next budget will include the maximum fees we can collect from people in programs. People could pay for SCRAM from the money they are saving by not drinking. Patzer said Waukesha County most people can afford to pay the fee. WCS doesn't go after people who can't pay.

Patzer said there should be consideration given to use SCRAM post sentence. Most governments use SCRAM post sentence, offender-paid. Using SCRAM will reduce revenues and bed days for the Sheriff's Department unless there is a charge to the offender. WCS recently learned that SCRAM will have an electronic monitoring component added to the system this year. The costs per unit are supposed to remain the same.

Evenson said the proposal says the Pretrial Program would have 50 new users per month. Patzer said the numbers will not be that high if a screening process is put into place to assess risk levels. Patzer said WCS cares about people changing their behavior. SCRAM has been shown to help change behavior.

June 25, 2008

Vrakas said we should use SCRAM when we can and charge users for it. Patzer said WCS will go bankrupt if they are unable to collect the fees. Benedict said paying back SCRAM charges is low on the priority list for many people.

Evenson asked how much won't be collected? Wimmer said it doesn't have to be all or nothing. There are ways to supplement costs. The unit is a good tool, strong deterrent and can be implemented according to the county's needs.

Benedict said he has grave concerns about expanding the use of SCRAM in the pretrial area. It is sentencing people before they have been sentenced. He has really serious legal concerns and would expect litigation. Pretrial SCRAM use will be a law enforcement tool, not treatment. It won't change behavior because it is linked to punishment. Wimmer said that's why Milwaukee County pays for pretrial use of SCRAM. There are people who volunteer to use it and it looks good for their court cases.

Benedict said on pretrial, the District Attorney recommends it in every case and commissioners only use it for high concern cases. Wimmer said it is a deterrent. Benedict said the way SCRAM is used in Treatment Court is different than for pretrial use. Patzer said it is used as a sanction in pretrial and is part of a larger philosophy. What other alternatives are there? Schuler said putting people in jail without treatment doesn't work. You need to make them better when they leave jail to make it worthwhile.

Benedict said we don't have the capacity to use SCRAM pre-sentencing. It could be set up that way at a cost. The reward is unknown and the punishment is harsh.

Patzer said WCS wants to put together a brochure letting people know they can volunteer to use the program. Volunteers need to find out if there is a reward at the end of the program from the District Attorney's Office to help them with sentencing. Vrakas asked how do we get breaks in sentencing for SCRAM users. Evenson said that is on the political side. Radical change isn't going to happen overnight.

Update on WIRED Grant

Dwyer said he talked to Paco Sanchez and found out the WIRED subcommittee has some questions about our applications. We are working on changes and will resubmit the grant when completed. Schuler said some of the answers were in the application but not noticed.

Recommendations of HHS AODA Advisory Committee and HHS Board Regarding Day Reporting and Alcohol Treatment

Schuler said the HHS Department has five advisory committees to the HHS Board. After hearing participant feedback from Day Reporting Program and Alcohol Treatment Court about how positive the programs are, the AODA Advisory committee recommended moving the vacant AODA counselor position to the Treatment Resources Center. Schuler thinks this is highly unlikely due to lack of funds but will keep the recommendation on the list.

Future Meeting Date

The next CJCC Council meeting is scheduled for July 30, 2008.

The meeting was adjourned at 10:18 a.m.

CJCC
June 25, 2008

Page 4

Respectfully Submitted,

Windy Jicha, Offices Services Coordinator
County Board Office